

a molded plastic cartridge case body having a closed front end and a second end,
wherein the closed front end includes at least one stress concentrator for causing,
preferential tearing of the closed front end at the at least one concentrator.

40. (Amended) The ammunition article as set forth in claim 38, further comprising a base
attached to the second end of the cartridge casing body.

REMARKS

Reconsideration is requested for Claims 1-115.

The indicated allowability of Claims 1-2, 5-8, 10-18, 20-21, 23-25, 27-34 and 114-115 has been withdrawn in view of newly discovered references.

In addition, the election of species requirement has been withdrawn but a restriction requirement still stands for the process of making and product made. Group I, identified as including Claims 1-58 and 114-115 were considered in the Official Action.

Claims 1, 20, and 114-115 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,809,612 to Ballreich, et al. Claim 1, from which Claim 20 depends, defines an ammunition article including a molded plastic cartridge casing body having a first end and a second end, and a projectile attached to the first end of the cartridge casing body, wherein the cartridge casing body is molded around at least a portion of the projectile. Contrary to the assertion in the Official Action, Ballreich, et al. does not disclose or suggest that the cartridge casing body is molded around at least a portion of the projectile. Ballreich, et al. discloses only that the dummy projectile 9 is produced

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separately and is fastened in the case 1 by a snap connection 10. Col. 3, lines 37-40. The projectile 7 referred to at col. 3, lines 33-36 does not disclose that a cartridge casing body is molded around a portion of a projectile. Rather, the projectile 7 is integrally formed with the case 1 and no part of the case 1 is molded around the projectile 7.

In view of the differences between Claim 1 and Ballreich, et al., it is respectfully submitted that Claim 1 and the claims dependent therefrom are not anticipated by Ballreich, et al.

Claims 114-115, were also rejected under 35 U.S.C. § 102(b) as being anticipated by Ballreich, et al. Claim 114, from which Claim 115 depends, defines an ammunition article including a projectile having cannellure contours, and a molded cartridge casing body molded around at least a portion of the projection such that a portion of a wall of the cartridge casing body follows the cannellure contours of the projectile. Ballreich, et al. does not disclose or suggest a molded cartridge casing body molded around at least a portion of the projectile as is recited in Claim 114. Instead, Ballreich, et al. discloses that a case 1 is integrally formed with a projectile 7, and that a projectile 9 is fastened in a case 1 by a snap connection.

In view of the differences between Claim 114 and Ballreich, et al., it is respectfully submitted that Claim 114 and the claim dependent therefrom, Claim 115, are not anticipated by Ballreich, et al.

Claims 21, 23-25, 27-28, 30, 37-42, 44-46, 48 and 53 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,144,827 to Boutwell. Claim 21, from which Claims 22-36 depend, defines a cartridge casing body having a first end and a

second end, a projectile attached to the first end of the cartridge casing body, and a single piece, molded plastic base, the base being attached to the second end of the cartridge casing body.

Boutwell discloses a blank cartridge that has no projectile. Accordingly, Boutwell cannot anticipate Claim 21.

In view of the differences between Claim 21 and Boutwell, it is respectfully submitted that Claim 21 and the claims dependent therefrom, Claims 22-36, are not anticipated by Boutwell.

Claim 37 defines an ammunition article including a molded plastic cartridge case body having a closed front end and a second end.

Claims 37-42, 44-46, and 48 were rejected under 35 U.S.C. § 102(b) as being anticipated by Boutwell. Claims 38 and 39 have been rewritten in independent form, and Claim 37 has been canceled. Claim 40 has been amended to depend from Claim 38. Claim 38 defines an ammunition article including a molded plastic cartridge case body having a closed front end and a second end, wherein the closed front end includes walls that reduce in thickness toward an axial center of the closed front end. Boutwell only discloses that the end wall 6 is relatively thin, and does not disclose that the walls reduce in thickness toward an axial center of the closed front-end.

The view of the differences between Claim 28 and Boutwell, it is respectfully submitted that Claim 38 and the claims dependent therefrom are not anticipated by Boutwell.

Claim 39 defines an ammunition article including a molded plastic cartridge case body having a closed front end and a second end, wherein the closed front end includes at least one stress concentrator for causing preferential tearing of the closed front end at the at least one stress concentrator. Boutwell only discloses that the end wall 6 of the case 2 is relatively thin. Stress is not concentrated in any particular area in the thin end wall 6.

In view of the differences between Claim 39 and Boutwell, it is respectfully submitted that Claim 39 is not anticipated by Boutwell.

Claim 53 was rejected under 35 U.S.C. § 102(b) as being anticipated by Boutwell. Claim 53 defines an ammunition article including a molded plastic cartridge case body, the cartridge case body including a web dividing an internal volume of the body to define a lower cavity for receiving a propellant and an upper cavity for receiving a projectile, the web including an upwardly extending prong for being received in a corresponding recess in a base of the projectile to fasten the body to the projectile. Boutwell does not disclose the structure of the ammunition article defined by Claim 53 and it is respectfully submitted that Claim 53 is not anticipated by Boutwell.

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ballreich, et al. in view of European patent application 0 131 863 (EP 863). EP 863 cures none of the defects of Ballreich, et al. with respect to Claim 1, from which Claim 2 depends, and, accordingly, Claim 2 is submitted to define patentably over the combination of Ballreich, et al. in view of EP 863. In addition, it is asserted in the Official Action that EP 863 discloses a cartridge casing body 10 which includes a first interior portion defined by a portion of the projectile 12 and a second interior portion 16 having a smaller diameter

than the first interior portion and separated by a shoulder 20. As is seen in Fig. 2, the diameter of the portion of the casing body 10 defined by the projectile 12 is substantially the same as the diameter below the projectile 12. For this additional reason, it is respectfully submitted that Claim 2 defines patentably over the combination of Ballreich, et al. in view of EP 863.

Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ballreich, et al. Because, contrary to the assertion in the Official Action, Ballreich, et al. does not disclose or suggest an ammunition article wherein a cartridge casing body is molded around at least a portion of a projectile, it is respectfully submitted that Claim 1 and the Claims dependent therefrom, including Claims 3-5, define patentably over Ballreich, et al.

Claim 6-8 and 10-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ballreich, et al. in view of Boutwell. It is respectfully submitted that Boutwell cures none of the defects of Ballreich, et al. with respect to Claim 1, from which Claims 6-8 and 10-18 depend, and, therefore, Claim 1 and the claims dependent therefrom define patentably over Ballreich, et al. in view of Boutwell.

Claims 29-31-34, 47, 49-52 and 54-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boutwell. These claims relate to attachment of a base to a cartridge casing body. With respect to Claims 29 and 31-34, which depend from Claim 21, as noted above, Boutwell does not disclose or suggest a projectile as is recited in Claim 21. Accordingly, it is respectfully submitted that Claim 21 and the claims dependent therefrom define patentably over Boutwell.

With respect to Claims 47 and 49-52, which depend from Claim 38, Boutwell does not disclose or suggest a closed front end of a cartridge casing body that includes walls that reduce in thickness toward an axial center of the closed front end. Accordingly, Claim 38 is submitted to define patentably over Boutwell. The Claims dependent from Claim 38 are submitted to define patentably over Boutwell for at least the same reasons as Claim 38.

With respect to the rejection of Claims 54-58 under 35 U.S.C. § 103(a) as being unpatentable over Boutwell, those claims all depend from Claim 53. It is respectfully submitted that Claim 53 defines patentably over Boutwell as Boutwell does not disclose or suggest the features or combination of features recited in Claim 53, from which Claims 54-58 depend.

Claims 9 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ballreich, et al. in view of Boutwell. Claims 9 and 19 depend from Claim 1. Neither Ballreich, et al. nor Boutwell discloses or suggests an ammunition article including the features or combination of features recited in Claim 1, including a cartridge casing body molded around at least a portion of a projectile. Claims 9 and 19 are submitted to define patentable over Ballreich, et al. in view of Boutwell for at least the same reasons as Claim 1.

Claims 22, 26, 35-36 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boutwell. It is asserted that these claims would have been obvious to one of ordinary skill in the art. As discussed above with respect to the patentability of Claim 21, from which Claims 22, 26, and 35-36 depend, Boutwell does not disclose or suggest a

projectile. Accordingly, Claim 21 and the claims dependent therefrom are submitted to define patentably over Boutwell.

With respect to Claim 43, which depends from Claim 38, Boutwell does not disclose or suggest a cartridge case body including a closed front end including walls that reduce in thickness toward an axial center of the closed front end. Claim 43, which depends from Claim 38, defines patentably over Boutwell for at least the same reasons as Claim 38.


It is respectfully submitted that all of the pending claims, Claims 1-36, and 38-115 define patentably over the cited references. Allowance of these claims is cordially urged.

If the Examiner should be of the opinion that a telephone conference would be helpful in resolving any outstanding issues, the Examiner is urged to contact the undersigned.

Respectfully submitted,

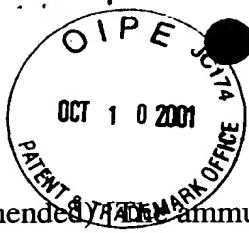
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____


Harold R. Brown III
Registration No. 36,341

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

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APPENDIX

38. (Amended) [The ammunition article as set forth in claim 37] An ammunition article, comprising:

a molded plastic cartridge case body having a closed front end and a second end,
wherein the closed front end includes walls that reduce in thickness toward an axial center of the closed front end.

39. (Amended) [The ammunition article as set forth in claim 37] An ammunition article, comprising:

a molded plastic cartridge case body having a closed front end and a second end,
wherein the closed front end includes at least one stress concentrator for causing, preferential tearing of the closed front end at the at least one concentrator.

40. (Amended) The ammunition article as set forth in claim [37] 38, further comprising a base attached to the second end of the cartridge casing body.